

REMARKS

At the time of the Second Office Action dated September 17, 2007, claims 19-36 were pending and rejected in this application. Applicant respectfully submits that by the present Amendment and Remarks, this application is placed in clear condition for immediate allowance. At the least, the number of issues have been reduced, thereby placing this application in better condition for Appeal.¹ Accordingly, entry of the present Amendment and Remarks and favorable consideration are respectfully solicited.

If the Examiner refuses to enter the present Amendment, Applicant requests that the Examiner check box 7(b) in form PTOL-303 (Advisory Action), which states that for purposes of Appeal, Applicant's proposed amendments will be entered since, as noted above, the present Amendment reduces the number of issues for Appeal.

On page 2 of the Second Office Action, the Examiner objected to claims 19, 21, and 28. In response, Applicant notes that claims 19, 21, and 28 have been amended to address the issues raised by the Examiner.

¹ See M.P.E.P. § 706.07(e) ("An amendment that will place the application ... in better form for appeal may be admitted.").

CLAIMS 20, 26, 30, 32, AND 36 ARE REJECTED UNDER THE SECOND PARAGRAPH OF 35

U.S.C. § 112

On page 3 of the Second Office Action, the Examiner asserted these claims are indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. This rejection is respectfully traversed.

Regarding the Examiner's assertions regarding "event set information," Applicant notes that the claims recite (i) event set information, which is associated with a first structured document and stored into a cache and (ii) event set information not stored in the cache and associated with a second structured document. Thus, the claims clearly distinguish between the different event set information being claimed.

Regarding the limitation "the first and second processing steps" in claims 30 and 36, Applicant notes that claims 30 and 36 have been cancelled, and thus, the Examiner's rejection of these claims is moot.

CLAIMS 19-21, 25-27, AND 31-33 ARE REJECTED UNDER 35 U.S.C. § 103 FOR
OBVIOUSNESS BASED UPON AYYAGARI ET AL., U.S. PATENT NO. 7,020,681 (HEREINAFTER
AYYAGARI), IN VIEW OF PATEL, U.S. PATENT PUBLICATION NO. 2002/0107881

On pages 4-6 of the Office Action, the Examiner concluded that one having ordinary skill in the art would have been motivated to modify Ayyagari in view of Patel to arrive at the claimed invention. This rejection is respectfully traversed.

Applicant incorporates herein the arguments previously presented in the First Amendment dated September 17, 2007. Thus, even if one having ordinary skill in the art were motivated to modify Ayyagari in view of Patel, the claimed invention would not result.

**CLAIMS 22-24, 28-30, AND 34-36 ARE REJECTED UNDER 35 U.S.C. § 103 FOR
OBVIOUSNESS BASED UPON AYYAGARI IN VIEW OF PATEL AND COULOURIS**

On pages 7 and 8 of the Office Action, the Examiner concluded that one having ordinary skill in the art would have been motivated to modify Ayyagari in view of Patel and Coulouris to arrive at the claimed invention. This rejection is respectfully traversed.

Claims 22-24, 28-29, and 34-35 respectively depend from independent claims 19, 27, and 33, and Applicant incorporates herein the arguments previously advanced in traversing the imposed rejection of claims 19, 27, and 33 under 35 U.S.C. § 103 for obviousness based upon the combination of Ayyagari and Patel. The tertiary reference to Coulouris does not cure the argued deficiencies of the combination of Ayyagari and Patel. Accordingly, even if one having ordinary skill in the art were motivated to modify Ayyagari in view of Patel and Coulouris, the proposed combination of references would not yield the claimed invention.

Applicant has made every effort to present claims which distinguish over the prior art, and it is believed that all claims are in condition for allowance. However, Applicant invites the Examiner to call the undersigned if it is believed that a telephonic interview would expedite the prosecution of the application to an allowance. Accordingly, and in view of the foregoing

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remarks, Applicant hereby respectfully requests reconsideration and prompt allowance of the pending claims.

Although Applicant believes that all claims are in condition for allowance, the Examiner is directed to the following statement found in M.P.E.P. § 706(II):

When an application discloses patentable subject matter and it is apparent from the claims and the applicant's arguments that the claims are intended to be directed to such patentable subject matter, but the claims in their present form cannot be allowed because of defects in form or omission of a limitation, the examiner should not stop with a bare objection or rejection of the claims. The examiner's action should be constructive in nature and when possible should offer a definite suggestion for correction.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 09-0461, and please credit any excess fees to such deposit account.

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Respectfully submitted,

/Scott D. Paul/

Scott D. Paul

Registration No. 42,984

Steven M. Greenberg

Registration No. 44,725

Phone: (561) 922-3845

CUSTOMER NUMBER 46320